

**Page 1: General Comment [1]**

This review is not a pre-approval of any Part 37 security plan.

**Page 1: General Comment [2]**

A Table of Contents should be added to provide an overview of the plan.

**Page 1: General Comment: [3]**

The plan should be a high level document, with no details to make it SGI. Implementing procedures should contain details on how specific requirements are met.

**Page 1: General Comment [4]**

A Definitions Section should be added to address key Part 37 and Part 73 terms utilized in the plan and implementing procedures.

**Page 1: Introduction-Comment [5]**

The reference to “Plan” should be changed to “RMSP” for Radioactive Material Security Plan, as identified in the document title.

**Page 1: Introduction-Comment [6]**

The plan should address the issue of sabotage, in addition to theft and diversion. See Comment [11] below.

**Page 1: Security Plan (Purpose and Scope)-Comment [7]**

This section should be expanded to include Subparts B and D of Part 37, if provisions are not covered under a Part 73 security plan. This comment should be applied to all applicable sections of the document.

10 CFR 37.11(c)(4) “Specific Exemptions” also contain security requirements.

**Page 2: Security Plan (Implementing Procedures)-Comment [8]**

The level of depth and detail of a licensee’s security plan should be commensurate with the security level of the category 1/category 2 sources covered by the plan. Although not all of the recommended measures may apply to a given licensee’s situation, the Part 37 Implementation Guidance (NUREG-2155, Pages 122/123) establishes the recommended content of a typical security plan. The licensee’s attached implementing procedures should provide the level of detail recommended by NUREG-2155, if not covered under a Part 73 security plan. Also, implementing procedures should include the pre-planning, coordination, and notification requirements outlined in Subpart D.

**Page 2: Security Plan (Training)-Comment [9]**

The training program should reflect the level of detail recommended in Question and Answers 2 and 3 (Pages 132/133) of NUREG-2155.

**Page 5: Establishing, Implementing, and Maintaining the Physical Aspects of the RMSP Comment [10]**

When discussing the RMSP plan attributes, it should be stated that the Part 37 plan will not reduce the overall effectiveness of the Part 73 security plan’s High-Assurance objectives stated

in 73.55(a).

**Page 5: Establishing, Implementing, and Maintaining the Physical Aspects of the RMSP  
Comment [11]**

The RMSP should address sabotage, which is referenced in 37.11(c)(4), 37.41(c), 37.45(a)(2), 37.49(a)(3), and 37.49(b).

**Page 5: Section 3.1-Comment [12]**

The first paragraph should clarify that a licensee relying upon a Part 73 plan for the protection of risk significant byproduct material located inside a protected area must revise its Part 73 security plan to include protection of this material (since most Part 73 plans are only designed to protect special nuclear material). Refer to the “Implementation Questions and Answers” (IQ&A) document publicly available on NRC’s website.

The second paragraph is incorrect as written and should be revised to be consistent with the answers provided in the IQ&As. Risk significant byproduct material located in an owner controlled area is not automatically exempt from the requirements of Part 37. As explained in the IQ&As, “if the risk significant byproduct material is outside the PA, a Part 73 plan is not likely to provide equivalent protection (unless substantially modified to meet the performance requirements of 10 CFR Part 37). If using a modified Part 73 plan for areas outside the PA, the modified plan must provide documentation describing how the plan provides a level of protection equivalent to 10 CFR Part 37, Subparts B and C. Licensees would also have the option of moving the risk-significant material into the PA.”

The third paragraph should be revised to clarify that only waste in excess of 2000 kg has been exempted from the requirements of Subparts B, C and D, in accordance with 37.11(c) requirements, and that waste must meet the requirements outlined in 37.11(c)(1)-(4).

In each of these instances, there should be a determination basis to clarify how Part 37 requirements will be met.

As cited, 10 CFR 73.55(h)(5)(ii) should be 73.55(i)(5)(ii).

**Page 5: Section 3.1-Comment [13]**

The RMSP should include a provision that Part 37 commitments have been reviewed to ensure that they do not result in any conflicts that adversely impacts Part 73 requirements.

**Page 6: Monitoring, Detection, and Assessment-Comment [14]**

The plan should confirm that this requirement is being addressed.